ATTORNEY'S DOCKET NUMBER TRANSMITTAL LETTER TO THE UNITED STATES 084706-000000US **DESIGNATED/ELECTED OFFICE (DO/EO/US)** U.S. APPLICATION NO. (If known, see 37 CFR 1.5) **CONCERNING A FILING UNDER 35 U.S.C. 371** 10/541.740 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/GB2004/005063 December 2, 2004 December 2, 2003 TITLE OF INVENTION PESTICIDAL COMPOSITIONS APPLICANT(S) FOR DO/EO/US **David MARKS** Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items 3. (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. I is attached hereto (required only if not communicated by the International Bureau). b. has been communicated by the International Bureau. c. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. is attached hereto. b. has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau. c. have not been made; however, the time limit for making such amendments has NOT expired. d. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 8. 9. 🖂 An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). An English language translation of the annexes of the International Preliminary Examination Report under PCT 10. Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 12. A preliminary amendment. 14. An Application Data Sheet under 37 CFR 1.76. 15. A substitute specification. A power of attorney and/or change of address letter. 16. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 17.

A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

A second copy of the published International Application under 35 U.S.C 154(d)(4).

18.

U.S. APPLICATION	ON NO. (if know)	n, see 37 CFR 1.5)	FR 1.5) INTERNATIONAL APPLICATION NO. PCT/GB2004/005063		ATTORNEY'S DOCKET NUMBER 084706-00000US			
20. Other items or information: Express Mail Label No. EV383391870US								
Statement Under 3.73(b) with copies of Assignments								
	owing fees have	CALCULATIONS	PTO USE ONLY					
21. Basic r	ational fee (37	\$						
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All other situations				\$	200			
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			ed in paper over 100 sheets R 1.821(c) or (e) or comput					
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Total Sheets Extra Sheets			Number of each additional 50 or fraction RATE thereof (round up to a whole number)					
- 100 =		/50 =		x \$250		\$		
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CLAIMS	NUM	MBER FILED	NUMBER EXTRA	RATE				
Total claims		- 20 =	× \$ 50		\$			
Independent claims		- 3 =			\$			
MULTIPLE DEPEN	DENT CLAIM(	\$						
TOTAL OF ABOVE CALCULATIONS =						\$ 130	·	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.						\$ 65		
SUBTOTAL =						\$ 65		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).						\$		
		\$ 65						
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property						\$		
TOTAL FEES ENCLOSED =						\$ 65		
			•			Amount to be refunded:	\$	
						Amount to be charged:	\$ 65	

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a.		A check in the amount of \$	to cover the above fees is e	nclosed.				
b.	$\boxtimes$	Please charge my Deposit Account No. <u>20-1430</u> in A duplicate copy of this sheet is enclosed.	n the amount of \$ 65	_ to cover the above fees.				
C.	$\boxtimes$	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u> . A duplicate copy of this sheet is enclosed.						
d.		Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.								
Joe TO	I G. A WNSI	LL CORRESPONDENCE TO:  Ackerman END AND TOWNSEND AND CREW LLP barcadero Center, Eighth Floor ncisco, CA 94111-3834	SIGNATURE  Joel G. Acker  NAME  24,307  REGISTRATION N					

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Attorney Docket No.: 084706-00000US Client Reference No.: CPG/P252/USW

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David MARKS

Int'l Application No.: PCT/GB04/05063

U.S. Application No.: 10/541,740

Int'l Filing Date: December 2, 2004

For: PESTICIDAL COMPOSITIONS

Customer No.: 20350

Confirmation No.: 3889

Examiner:

Art Unit:

TRANSMITTAL LETTER –

RESPONSE TO NOTIFICATION OF

MISSING REQUIREMENTS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to the Notification of Missing Requirements, dated April 3, 2006, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration;
- 2) Executed Power of Attorney by Assignee;
- 3) Executed Certificate of Assignee Under 37 C.F.R. § 3.73(b);
- 4) Information Disclosure Statement, SB08, copies of the International Search Report and U.K. search report, and copies of 16 references; and
- 5) Copy of Notice of Missing Parts.

David MARKS

Application No.: 10/541,740

Page 2

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity:

(g) Missing Parts Surcharge

\$65

### TOTAL FEES TO BE CHARGED

\$65

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in duplicate.

Respectfully submitted,

Joel G. Ackerman Reg. No. 24,307

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834 Tel: 415-576-0200

Tel: 415-576-0200 Fax: 415 576-0300

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#### United States Patent and Trademark Office

084706-20000045

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandria, Viginia 22313-1450 www.uspto.gov

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT 10/541,740

ATTY. DOCKET NO.

David MARKS

084706-000000US

INTERNATIONAL APPLICATION NO. PCT/GB04/05063

I.A. FILING DATE

PRIORITY DATE

12/02/2004

12/02/2003

TWO EMBARCADERO CENTER **EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834** 

TOWNSEND AND TOWNSEND AND CREW, LLP

**CONFIRMATION NO. 3889** 

371 FORMALITIES LETTER

OC000000018437500\*

Response Due 06/03/06

Date Mailed: 04/03/2006

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/06/2005
- Copy of the International Search Report filed on 07/06/2005
- Preliminary Amendments filed on 07/06/2005
- Request for Immediate Examination filed on 07/06/2005
- U.S. Basic National Fees filed on 07/06/2005
- Priority Documents filed on 07/06/2005

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

• Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION. WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

/we

# FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

# PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541.740	PCT/GB04/05063	084706-000000US

FORM PCT/DO/EO/905 (371 Formalities Notice)